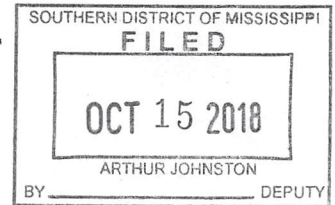


## UNITED STATES DISTRICT COURT

for the  
Southern District of Mississippi

Eastern Division



Wallace E. Owens

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Covington County Sheriff Department  
Judge Bobby Mooney, Sheriff Stan Smith  
Joe Ponder, Dallas Stringer  
Johnny Fairley Sr  
Andy Graham, Dennis Smith

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

2:18cv180-KS-MTP

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

|                    |                             |
|--------------------|-----------------------------|
| Name               | Wallace E. Owens            |
| Street Address     | 6 Roscoe Owens Drive        |
| City and County    | Mt. Olive, Covington County |
| State and Zip Code | MS 39428                    |
| Telephone Number   | 769-243-0000                |
| E-mail Address     |                             |

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

|                                  |                                     |
|----------------------------------|-------------------------------------|
| Name                             | Covington County Sheriff Department |
| Job or Title <i>(if known)</i>   |                                     |
| Street Address                   | 1107 Main Street                    |
| City and County                  | Collins, Covington County           |
| State and Zip Code               | MS, 39428                           |
| Telephone Number                 | 601-765-8281                        |
| E-mail Address <i>(if known)</i> |                                     |

## Defendant No. 2

|                                  |                           |
|----------------------------------|---------------------------|
| Name                             | Sheriff Stan Smith        |
| Job or Title <i>(if known)</i>   | Sheriff                   |
| Street Address                   | 1107 Main Street          |
| City and County                  | Collins, Covington County |
| State and Zip Code               | MS, 39428                 |
| Telephone Number                 | 601-765-8281              |
| E-mail Address <i>(if known)</i> |                           |

## Defendant No. 3

|                                  |                           |
|----------------------------------|---------------------------|
| Name                             | Judge Bobby Wayne Mooney  |
| Job or Title <i>(if known)</i>   | Judge                     |
| Street Address                   | 101 S Dogwood Avenue      |
| City and County                  | Collins, Covington County |
| State and Zip Code               | MS 39428                  |
| Telephone Number                 | 601-765-4242              |
| E-mail Address <i>(if known)</i> |                           |

## Defendant No. 4

|                                  |                           |
|----------------------------------|---------------------------|
| Name                             | Andy Graham               |
| Job or Title <i>(if known)</i>   |                           |
| Street Address                   | 101 S Dogwood Avenue      |
| City and County                  | Collins, Covington County |
| State and Zip Code               | MS 39428                  |
| Telephone Number                 | 601-765-4242              |
| E-mail Address <i>(if known)</i> |                           |

## Defendant No. 5

Name  
Job or Title *(if known)*  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address *(if known)*

Johnny Fairley, Sr

23 Rosco Owens Drive

Mt. Olive, Covington

MS 39119

## Defendant No. 6

Name  
Job or Title *(if known)*  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address *(if known)*

Dennis Smith

officer

1107 Main Street

Collins, Covington

MS 39428

601-765-8281

## Defendant No. 7

Name  
Job or Title *(if known)*  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address *(if known)*

Dallas Stringer

1107 Main Street

Collins, Covington

MS 39428

601-765-8281

## Defendant No. 8

Name  
Job or Title *(if known)*  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address *(if known)*

Joe Ponder

1107 Main Street

Collins, Covington

MS 39428

601-765-8281

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

25 CFR 11.404 False imprisonment

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its

principal place of business in the State of *(name)* \_\_\_\_\_.

Or is incorporated under the laws of *(foreign nation)* \_\_\_\_\_,

and has its principal place of business in *(name)* \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

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### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On Feb 17, 2016 Dallas Stringer and Andy Graham stated that I pointed a gun at them and was charged with simple assault on a police officer.(exhibit A6) While incarcerated Johnny Fairley Sr conspired with Judge Mooney and Dennis Smith to have simple assault charges by threat on the judge, those papers were served by Constable Joe Ponder. (exhibit A36) All this was done at the Covington County Sheriff Department under the running of Sheriff Stan Smith. Pursuant to U.S.S.G. 3A1.2(c)(1) 6 levels were added causing me to go to become enemy of the state, to serve more time, and go to a max security prison.(exhibit A16, exhibit B, exhibit C). These charges were later dropped October 7, 2010. (exhibit D)

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### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

These false claims have caused me mental anguish, emotional pain and suffering.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: \_\_\_\_\_

10-15-18 Wallace Owens

Signature of Plaintiff \_\_\_\_\_

Printed Name of Plaintiff Wallace E. Owens**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney \_\_\_\_\_

Printed Name of Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_

Name of Law Firm \_\_\_\_\_

Street Address \_\_\_\_\_

State and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_